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U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION.**

**1:15-cv-00177**  
**Janet T. Neff**  
**U.S. District Judge**  
**Ellen S. Carmody**  
**U.S. Magistrate Judge**

David William Nail,

Plaintiff,

**CASE NO: 1:15-cv-00177**

Hon. Robert J. Jonker and  
Magistrate Hugh W. Brenneman, Jr.

-v-

Autumn Schrauben, et, al,

Defendants.

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**PLAINTIFF'S MOTION TO STRIKE DEFENDANT**

**SARAH SHEA'S MOTION TO DISMISS.**

The Plaintiff David W. Nail Now States The Following To Be True To The Best Of His Knowledge And Information That He Has Received And Believes To Be True Under Penalty Of Perjury Pursuant Through This Un-Sworn Affidavit Under Federal Law/Statute.

1. The Plaintiff States that he has been in contact with an attorney a Mr. Horia Neagos who allegedly was going to represent this alleged wrong defendant Sarah Shea.
2. He recently sent me the following email please see below;

Horia Neagos David: Please be advised that there has been a breakdown in communications between myself and Mrs. Shea, Sarah Eden Shea's mother. At this time, I am no longer in a position where I am helping her,  
To David Nail CC Kelly Horness Apr 29 at 10:40 AM  
David: I wish you the best of luck. Sincerely, Horia Horia R. Neagos (P73550) Williams Hughes PLLC 120 W. Apple Ave, PO Box 599  
Muskegon, MI 49443-0599 Telephone: (734) 716-0835 Fax: (231) 727-2130  
[hnm@williamshugheslaw.com](mailto:hnm@williamshugheslaw.com)

3. The Plaintiff States that he had agreed to dismiss this alleged Sarah Shea after specific information had been sent to this Plaintiff by Mr. Neagos (P73550) but after his email to the Plaintiff and the pleadings that have been wrongfully served upon this

Plaintiff by certified mail return receipt requested; instead by first class pre paid US postal service; this alleged wrong Sarah Shea the has not provided the documentation requested.

4. The Plaintiff states that the affidavit by Sarah Shea could have been written by anyone; furthermore there is no picture to establish her age nor is there a birth certificate verifying her age.

5. The Plaintiff states that he had agreed with Mr. Mr. Neagos that he could redact any personal information on this Sarah Shea from these documents and a drivers license or State ID would have been sufficient for this verification.

6. The Plaintiff states that since these small requirements have not been satisfied he Moves the Honorable U.S. District Court for the following;

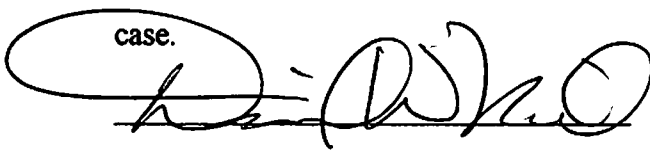
**RELIEF REQUESTED:**

A. That Sarah Shea's Motion Docket # 20 be stricken from the record as it was improperly served;

B. That this Sarah Shea provide a copied birth certificate to this Court and the Plaintiff with a drivers license or State ID with a redacted address in which to verify that she is not the correct defendant this Plaintiff is suing;

C. At which time this Plaintiff will have no problem with her dismissal from this

case.

  
David W. Nail, Pro Se  
1011 East Copeland Road,  
Montgomery, Michigan, 49255  
Phone (517) 227-8017

  
Date